

HB4702



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB4702

by Rep. Robert F. Martwick

SYNOPSIS AS INTRODUCED:

65 ILCS 5/11-10-1

from Ch. 24, par. 11-10-1

Amends the Illinois Municipal Code. Makes a technical change in a Section concerning fees from foreign fire insurance companies.

LRB098 18651 JLK 53794 b

A BILL FOR

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Municipal Code is amended by
5 changing Section 11-10-1 as follows:

6 (65 ILCS 5/11-10-1) (from Ch. 24, par. 11-10-1)

7 Sec. 11-10-1. In each municipality or fire protection
8 district, whether incorporated under a general or special law,
9 which has a fire department established and ~~and~~ maintained by
10 municipal or fire protection district ordinances, every
11 corporation, company, and association which is not
12 incorporated under the laws of this state and which is engaged
13 in effecting fire insurance in the municipality or fire
14 protection district, shall pay to the foreign fire insurance
15 board or to the secretary of the fire protection district for
16 the maintenance, use, and benefit of the fire department
17 thereof, a sum not exceeding 2% of the gross receipts received
18 from fire insurance upon property situated within the
19 municipality or district.

20 Each municipality and fire protection district may
21 prescribe by ordinance the rate of the tax or license fee to be
22 paid, but this rate shall not exceed the rate specified in this
23 section. Each designated corporation, company, and association

1 shall pay at the rate so prescribed, upon the amount of all
2 premiums which have been received during the year ending on
3 every first day of July for all fire insurance effected or
4 agreed to be effected on property situated within the
5 municipality or fire protection district, by that corporation,
6 company, or association respectively.

7 Every person who acts in any specified municipality or fire
8 protection district as agent, or otherwise, on behalf of a
9 designated corporation, company, or association, shall render
10 to the treasurer of the foreign fire insurance board or
11 secretary of the fire protection district, on or before the
12 fifteenth day of July of each year, a full and true account,
13 verified by his oath, of all of the premiums which, during the
14 year ending on the first day of July preceding the report, were
15 received by him, or by any other person for him on behalf of
16 that corporation, company, or association. He shall specify in
17 this report the amounts received for fire insurance, and he
18 shall pay to the treasurer of the foreign fire insurance board,
19 or to the secretary of the fire protection district, at the
20 time of rendering this report, the amount as determined by the
21 rate fixed by the ordinance of the municipality or fire
22 protection district for which his corporation, company, or
23 association is accountable under this section and the
24 ordinance.

25 If this account is not rendered on or before the fifteenth
26 day of July of each year, or if the sum due remains unpaid

1 after that day, it shall be unlawful for any corporation,
2 company, or association, so in default, to transact any
3 business in the municipality or fire protection district until
4 the sum due has been fully paid. But this provision shall not
5 relieve any corporation, company, or association from the
6 payment of any loss upon any risk that may be taken in
7 violation of this requirement.

8 The amount of this tax or license fee may be recovered from
9 the corporation, company, or association which owes it, or from
10 its agent, by an action in the name and for the use of the
11 municipality or fire protection district as for money had and
12 received.

13 The municipal comptroller, if any, and if not, then the
14 municipal clerk or the secretary of the fire protection
15 district, may examine the books, records, and other papers and
16 documents of a designated agent, corporation, company, or
17 association for the purpose of verifying the correctness of the
18 report of the amounts received for fire insurance.

19 This section shall not be applicable to receipts from
20 contracts of marine insurance, even though they include
21 insurance against fire, where the premium for the fire
22 insurance is not separately specified.

23 (Source: P.A. 95-807, eff. 8-12-08.)